

REMARKS

In light of the above amendments and remarks to follow, entry of this amendment and reconsideration and allowance of this application are respectfully requested.

New claims 28-34 are pending in this application. Claims 1-27 are canceled.

Claims 1-7, 10-16, 18-25 and 27 were rejected under 35 U.S.C. §102(e) as being anticipated by Kidder (U.S. Patent 6,363,413). Claims 8-9, 17, and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kidder. All of the rejected claims have been canceled. Each of the limitations in the new claims are shown in Figures 2-5.

Moreover, the new claims each recite "wherein the upgrade request specifies a target format of a higher quality than the first format." (Claims 28-34) Applicants respectfully assert that Kidder does not disclose an analogous upgrade request specifying a target format being sent to the content server. Accordingly, for at least this reason, Kidder fails to anticipate or obviate the present invention and the new claims should now be allowed.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

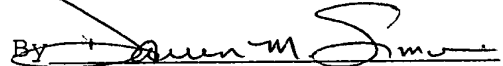
Application No.: 10/666,496

Docket No.: SONYJP 3.0-1020

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

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Respectfully submitted,

By 

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